

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MMC CONTRACTORS WEST, INC.,

Plaintiff,

vs.

THE WHITING-TURNER CONTRACTING  
COMPANY, et al.,

Defendants.

Case No. 2:12-cv-02131-MMD-NJK

ORDER DENYING PROPOSED  
DISCOVERY PLAN (Docket No. 29)

Pending before the Court is the parties' revised proposed discovery plan (Docket No. 29), which is hereby **DENIED**. This Court previously denied the parties' original proposed discovery plan because it failed to comply with the Local Rules. *See* Docket No. 25. As the Court advised the parties at that time, the presumptive discovery period is 180 days from the date the first defendant answered in this case. *See* Local Rule 26-1(e)(1). The pending discovery plan seeks a discovery period of 180 days from the date of the Fed. R. Civ. P. 26(f) meeting, which is approximately 30 days after the date the answer was filed in this case. *See* Docket No. 29 at 4; *see also id.* at 2 (providing date answer was filed). Hence, the parties seek a discovery period 30 days beyond the presumptive period.

Parties are free to request discovery periods longer than that provided by Local Rule 26-1(e), but when they do so (as here) they are required to indicate on the face of their proposed discovery plan that special scheduling review is requested. *See* Local Rule 26-1(d). The parties' revised proposed discovery plan does not provide such an indication. Instead, it indicates that it is "**SUBMITTED IN COMPLIANCE WITH LR 26-1(e).**" Docket No. 29 at 1 (emphasis in original). Such a statement is reserved for instances where the discovery plan does not seek longer deadlines than those provided in Local Rule 26-1(e). *See* Local Rule 26-1(d).

1 As the pending revised discovery plan neither seeks a discovery period of 180 days from the  
2 date the first defendant answered nor provides on its face that the parties seek special scheduling  
3 review, it is **DENIED** without prejudice for failing to comply with the Local Rules. Counsel are  
4 directed to consult the Local Rules and once again refile a proposed discovery plan no later than  
5 February 21, 2013.<sup>1</sup> The parties are free to request deadlines longer than those provided for in Local  
6 Rule 26-1(e), but must do so in compliance with the procedures outlined in the Local Rules.

7 IT IS SO ORDERED.

8 DATED this 19<sup>th</sup> day of February, 2013.

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12 NANCY J. KOPPE  
13 United States Magistrate Judge  
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26 <sup>1</sup> The Court expects all parties to strictly comply with the Local Rules. The Local Rules are  
27 clear on the date the presumptive 180-day discovery period begins, as was the Court's previous order  
28 denying the first proposed discovery plan. *See* Docket No. 25 ("The presumptive discovery period is  
180 days from the date the first defendant answers.").